



LEGISLATIVE FISCAL OFFICE
Fiscal Note

Fiscal Note On: **HB 446** HLS 24RS 612
 Bill Text Version: **RE-REENGROSSED**
 Opp. Chamb. Action:
 Proposed Amd.:
 Sub. Bill For.:

| | | |
|---|---------|--------------------------------|
| Date: April 19, 2024 | 2:40 PM | Author: HILFERTY |
| Dept./Agy.: Public Bodies | | |
| Subject: Notice of Meetings of Public Bodies | | Analyst: Garrett Ordner |

PUBLIC MEETINGS RR INCREASE GF EX See Note Page 1 of 2

Provides relative to notifications of public meetings and duties of public bodies and the commissioner of administration relative thereto

Present law requires public bodies to mail a copy of meeting notices to any member of the news media who requests such notice and to give notice to any such member of the news media notice in the same manner as it is given to members of the public body. Proposed law requires public bodies to give such notice to any member of the public or news media who requests such notice at the same time and in the same manner as it is provided to members of the public body. Proposed law also requires each public body to submit notice of each meeting to the commissioner of administration in a manner which allows the commissioner enough time to post the notice on the website currently used to publish meeting information for state boards and commissions. Proposed law provides that this information must be in an easily searchable format and must provide for the capability for members of the public to request and receive electronic notifications of meetings.

| EXPENDITURES | 2024-25 | 2025-26 | 2026-27 | 2027-28 | 2028-29 | 5 -YEAR TOTAL |
|---------------------|------------------|------------------|------------------|------------------|------------------|---------------|
| State Gen. Fd. | INCREASE | INCREASE | INCREASE | INCREASE | INCREASE | |
| Agy. Self-Gen. | SEE BELOW | SEE BELOW | SEE BELOW | SEE BELOW | SEE BELOW | |
| Ded./Other | \$0 | \$0 | \$0 | \$0 | \$0 | \$0 |
| Federal Funds | \$0 | \$0 | \$0 | \$0 | \$0 | \$0 |
| Local Funds | SEE BELOW | SEE BELOW | SEE BELOW | SEE BELOW | SEE BELOW | |
| Annual Total | | | | | | |
| REVENUES | 2024-25 | 2025-26 | 2026-27 | 2027-28 | 2028-29 | 5 -YEAR TOTAL |
| State Gen. Fd. | \$0 | \$0 | \$0 | \$0 | \$0 | \$0 |
| Agy. Self-Gen. | \$0 | \$0 | \$0 | \$0 | \$0 | \$0 |
| Ded./Other | \$0 | \$0 | \$0 | \$0 | \$0 | \$0 |
| Federal Funds | \$0 | \$0 | \$0 | \$0 | \$0 | \$0 |
| Local Funds | \$0 | \$0 | \$0 | \$0 | \$0 | \$0 |
| Annual Total | \$0 | \$0 | \$0 | \$0 | \$0 | \$0 |

EXPENDITURE EXPLANATION

There will be increased costs to the Division of Administration (DOA) to update its website to comply with the requirements of the proposed law. The DOA estimates these costs will be \$244,400 in FY 25 and \$2,800 annually thereafter. There may also be increased costs to state and local public bodies to provide notice to the public at the same time and in the same manner as it is given to members of those public bodies. Costs to these bodies are indeterminable and will depend on the manner in which notice is currently given to the body's members and the number of members of the public requesting notice.

Present law provides for a website established and maintained by the commissioner of administration which hosts information for state boards, commissions, and similar entities, including notices of upcoming meetings. Proposed law provides that this website must host notice information for all public bodies. Additionally, proposed law states that this information must be in an easily searchable format and must provide members of the public with the ability to request and receive electronic notifications of meetings.

The current website does not have the capability to allow members of the public to request and receive electronic notifications of upcoming meetings. In order to modernize the website to provide the features required by the proposed law, the DOA estimates it will need 2,080 total hours of labor by Statewide Application Developers at \$70 per hour and 1,040 total hours of labor by Statewide Application Senior Developers at \$95 per hour for a total of \$244,400 in FY 25. In each subsequent year, the DOA estimates it will require 40 hours of labor by Statewide Application Developers at \$70 per hour for ongoing support and maintenance of the website, totaling \$2,800 per year.

Proposed law requires public bodies to give notice to any member of the public or news media in the same manner and at the same time as it is given to members of the public body. "Public body" as defined in statute includes all municipal and parish governments, school boards, boards of publicly operated utilities, and many other state, parish, municipal, or special district boards, commissions, or authorities.

EXPENDITURE EXPLANATION CONTINUED ON PAGE TWO

REVENUE EXPLANATION

There is no anticipated direct material effect on governmental revenues as a result of this measure.

Senate Dual Referral Rules
 13.5.1 >= \$100,000 Annual Fiscal Cost {S & H}
 13.5.2 >= \$500,000 Annual Tax or Fee Change {S & H}

House
 6.8(F)(1) >= \$100,000 SGF Fiscal Cost {H & S}
 6.8(G) >= \$500,000 Tax or Fee Increase or a Net Fee Decrease {S}

Patrice Thomas
Deputy Fiscal Officer



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CONTINUED EXPLANATION from page one:

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EXPENDITURE EXPLANATION CONTINUED FROM PAGE ONE

All public bodies are currently required by law to give written public notice of their regular meetings, if established by law, resolution, or ordinance, at the beginning of each calendar year. They must also give notice of any regular, special, or rescheduled meeting at least 24 hours before the meeting, excluding weekends and holidays. This notice may be given by posting the notice at the office of the public body or, if no such office exists, at the building where the meeting will be held, or by publication of the notice in the body's official journal. Notice must also be placed on the public body's website if such website exists.

Requiring public bodies to give notice to any member of the public who requests such notice at the same time and in the same manner as it is given to members of the public body may pose additional costs to public bodies. For example, if a public body gives notice of a special meeting to its members via phone call, proposed law would require that such a phone call be made to each member of the public who has requested notice, which may require additional staff if enough members of the public have requested notice. If a public body gives notice of the meeting to its members via email, the public body would have to email each member of the public who has requested such notice, possibly requiring the use of a paid mailing service to manage the mailing list.

Because the proposed law would apply to 303 municipal governments, 64 parish governments, 69 school boards, and many other local boards, commissions, and authorities, as well as the 491 boards and commissions currently listed on the DOA's boards and commissions website, any potential cost increases due to the notice requirements of proposed law are indeterminable.

Senate
Dual Referral Rules
 13.5.1 >= \$100,000 Annual Fiscal Cost {S & H}
 13.5.2 >= \$500,000 Annual Tax or Fee Change {S & H}

House
 6.8(F)(1) >= \$100,000 SGF Fiscal Cost {H & S}
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